

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
Oakland Venue

Report on Offender Under Supervision

Name of Offender

Kevin Raymone White

Docket Number

0971 4:09CR00203-009 CW

Name of Sentencing Judge:

The Honorable Claudia Wilken
Senior United States District Judge

Date of Original Sentence:

April 7, 2010

Original Offense: Use of a Communication Facility (Telephone) to Commit/Facilitate Narcotics Trafficking, 21 U.S.C. § 843(b), a Class D Felony.

Original Sentence: 96 months custody; 3 years supervised release

Special Conditions: Special assessment 100.00; drug treatment; no new lines of credit or debt; access to financial information; search; register as sex offender; register as a drug offender; community service 20 hours; no contact with the victim; no contact with minors within 100 feet; no contact with co-defendant and obtain permission from his probation officer to have contact with Vianna Lajannie Powell; not own or possess any firearms, ammunition, destructive devices, or other dangerous weapons; DNA collection; participate in Reentry Court, as directed by the probation officer.

Prior Form(s) 12: On March 15, 2016, a Request to Modify the Conditions or Term of Supervision was filed with the Court seeking placement in a Residential Re-Entry center for 90 days. The Court concurred and the order was signed by the Honorable Yvonne Gonzalez Rogers on behalf of Senior U.S. District Court Judge Claudia Wilken on March 15, 2016.

On April 26, 2016, the Court ordered the offender's release from the Residential Re-Entry Center in order for the offender to reside with his mother in the Eastern District of California.

On December 7, 2016, a petition of summons was filed as the offender tested positive for cocaine, failed to participate in drug testing and treatment and failed to report to the probation officer.

On December 16, 2016, the offender failed to appear on the summons. The Court continued the matter until December 21, 2016.

On December 21, 2016, Mr. White failed to appear and a bench warrant was issued.

On January 26, 2017, the offender appeared before the Magistrate Court and was detained.

RE: White, Kevin Raymone
0971 4:09CR00203-009 CW

2

On February 14, 2017, the offender's terms of supervised release were modified to include placement at the Residential Re Entry Center for a period of seven months upon his release from custody and shall observe the rules of the facility.

On June 9, 2017, the Court took Judicial Notice of a positive drug test, specifically the offender tested positive for marijuana on April 11, 2017.

Type of Supervision

Supervised Release

Assistant U.S. Attorney

Garth Hire

Date Supervision Commenced

March 5, 2016

Defense Counsel

Anthony Brass (Appointed)

Petitioning the Court to Take Judicial Notice

Cause

Charge Number

Violation

One

There is probable cause to believe that the offender violated standard condition number seven which states, in part, the offender shall not possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

On June 15, 2017, July 3, 2017, July 12, 2017 and August 2, 2017, the offender submitted to drug testing at Sharper Future in Oakland, California that tested positive for marijuana.

Evidence in support of this charge is contained in the Alere Toxicology Inc. report for specimen number B03850727 dated June 28, 2017; specimen number B03850313 dated July 16, 2017; specimen number B03850344 dated July 26, 2017; and specimen number CN40-881 dated August 2, 2017.

Action Taken and Reason

Kevin White commenced his term of supervised release on March 5, 2016. As the offender secured housing with his sister in Oakland, California he was released from the Residential Re Entry Center on April 4, 2017.

On June 28, 2017, I addressed the positive marijuana test with the offender and he admitted he used marijuana. I advised him that use of marijuana is a violation of his supervised release terms. Mr. White became upset and stated he has not committed any new law violations and thus does not understand why I was addressing marijuana use with him. We had a lengthy discussion regarding compliance of his supervised release terms and abstaining from further use of marijuana.

RE: White, Kevin Raymone
0971 4:09CR00203-009 CW

3

As the offender continues to test positive for marijuana, I met with the offender on August 15, 2017, and inquired if he is continuing to use marijuana. The offender reported he was not. It must be noted, the offender's first positive drug test was in June of 2017, and as of August 2, 2017, he continues to test positive for marijuana. It appears this may not be residual use. On August 16, 2017, I contacted Alere Laboratory for confirmation of the positive drug test to determine if the marijuana use was continuous use or residual. On the same day, I received an email from Alere Laboratory indicating that further analysis needed to be conducted to determine the level of use.

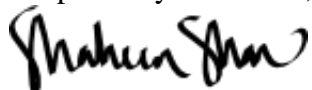
Mr. White has most recently been participating in drug counseling at Sharper Future in Oakland and it is hoped ongoing counseling services will address relapse triggers. I will also schedule and attend a three way meeting with the offender and his therapist to ensure he is actively participating in treatment sessions.

At present, Mr. White is unemployed and is attempting to secure employment with temporary agencies. Until he is able to secure verifiable employment, he has been referred to the probation office employment work group, Sharing Education and Employment Development Strategies (S.E.E.D.S.) His attendance has been sporadic; however, I will continue to monitor his attendance in the program and address any future "no shows" to the program with him.

Should Mr. White continue to abuse illicit substances, a court appearance before Your Honor will be requested.

It is respectfully the Court take Judicial Notice of the violation conduct as noted in the petition.

Respectfully submitted,



Shaheen Shan
U.S. Probation Officer
Date Signed: August 16, 2017

Reviewed by:



Kevin L. Thomas
Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☒ The Court concurs and takes judicial notice
- ☐ Submit a request to modify supervision
- ☐ Submit a request for a warrant
- ☐ Submit a request for summons
- ☐ Other:

August 21, 2017

Date



Claudia Wilken

RE: White, Kevin Raymone
0971 4:09CR00203-009 CW

4

Senior United States District Judge